

EXHIBIT C

1 DMJT
 2 PATRICK W. KANG, ESQ.
 3 Nevada Bar No.: 010381
 4 KYLE R. TATUM, ESQ.
 5 Nevada Bar No.: 13264
 6 KANG & ASSOCIATES, PLLC
 7 6480 West Spring Mountain Road, Suite 1
 Las Vegas, Nevada 89146
 P: 702.333.4223
 F: 702.507.1468

CASE NO: A-20-809599-C
 Department 18

7 *Attorneys for Plaintiff*

8
 9 **DISTRICT COURT**
 CLARK COUNTY, NEVADA

10 NICOLE GREENE, an Individual;

Case No.:
 Dept. No.:

11 Plaintiff,

12 vs.

13 BENJAMIN WOOD, an Individual; and
 14 FRONTIER AIRLINES, INC., a Foreign
 Corporation; DOES 1 through 20, inclusive;
 15 ROE CORPORATIONS, 1 through 20,
 inclusive;

16 Defendants.

17 **PLAINTIFF'S DEMAND FOR JURY TRIAL**

18 Pursuant to Rule 38 of the Nevada Rules of Civil Procedure, Plaintiff hereby demands a
 19 jury trial of all of the issues in the above matter.

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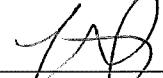
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1
2 Dated this 7 of January 2020.
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5 **KANG & ASSOCIATES, PLLC**
6

7 
8 **PATRICK W. KANG, ESQ.**
9 Nevada Bar No.: 010381

10 **KYLE R. TATUM, ESQ.**
11 Nevada Bar No.: 013264
12 6480 W. Spring Mountain Rd., Ste. 1
13 Las Vegas, NV 89146
14 702.333.4223
15 *Attorneys for Plaintiff*

1 IAFD
2 PATRICK W. KANG, ESQ.

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CASE NO: A-20-809599-C

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15 Corporation; DOES 1 through 20, inclusive;
16 ROE CORPORATIONS, 1 through 20,
inclusive;

16 Defendants.

17 **INITIAL APPEARANCE FEE DISCLOSURE (NRS CHAPTER 19)**

18 Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for
19 parties appearing in the above entitled action as indicated below:

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KANG & ASSOCIATES, PLLC.
6480 W SPRING MOUNTAIN RD., STE 1
LAS VEGAS, NV 89146

1 NICOLE GREEN \$270.00

2 TOTAL REMITTED: (Required) \$270.00

3
4 Dated this 7 of January 2020.

5
6
7 KANG & ASSOCIATES, PLLC



8
9 PATRICK W. KANG, ESQ.

10 Nevada Bar No.: 010381

11 KYLE R. TATUM, ESQ.

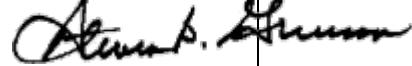
12 Nevada Bar No.: 013264

13 6480 W. Spring Mountain Rd., Ste. 1

14 Las Vegas, NV 89146

15 702.333.4223

16 *Attorneys for Plaintiff*

1 **MFW**2 **PATRICK W. KANG, ESQ.**

3 Nevada Bar No.: 010381

4 **KYLE R. TATUM, ESQ.**

5 Nevada Bar No.: 13264

6 **KANG & ASSOCIATES, PLLC**

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8 Las Vegas, Nevada 89146

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10 F: 702.507.1468

11 *Attorneys for Plaintiff*12
13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

15 NICOLE GREENE, an Individual;

16 Case No.: A-20-809599-C

17 Dept. No.: 18

18 Plaintiff,

19 vs.

20 BENJAMIN WOOD, an Individual; and
21 FRONTIER AIRLINES, INC., a Foreign
22 Corporation; DOES 1 through 20, inclusive;
23 ROE CORPORATIONS, 1 through 20,
24 inclusive;

25 Defendants.

**MOTION TO WITHDRAW AS COUNSEL OF
RECORD****MOTION TO WITHDRAW AS COUNSEL OF RECORD**

16 COMES NOW the undersigned and moves this Honorable Court for an Order
17 allowing them to Withdraw as Counsel for the Plaintiff, Nicole Greene, in the above-entitled
18 matter.

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This motion is made and based upon the pleadings and records on file, Points and Authorities and upon the Declaration of Kyle R. Tatum, Esq. attached hereto by this reference and made a part hereof.

DATED this 3 Day of April 2020.

KANG & ASSOCIATES, PLLC

s/ Kyle R. Tatum, Esq.

PATRICK W. KANG, ESQ.

Nevada Bar No.: 010381

KYLE R. TATUM, ESQ.

Nevada Bar No.: 013264

6480 W. Spring Mou

Las Vegas, NV 89146

(702) 333-4223

Attorneys for Plaintiff Nicole Greene

KANG & ASSOCIATES, PLLC.
6480 W SPRING MOUNTAIN RD., STE 1
LAS VEGAS, NV 89146

POINTS AND AUTHORITIES

A. Motion to Withdraw Should Be Granted.

Rule 7.40(b) of the Rules of Practice of the Eighth Judicial District Court states that the Court can enter an Order allowing withdrawal of an attorney. Local Rule 7.40(b) additionally requires that the attorney include in a Declaration the last known address and last known telephone number at which the client may be served with notice of further proceedings in the case where the application for withdrawal is granted and that applications for withdrawal shall be granted unless it would delay the trial or hearing of other matters in the case.

Rule 150 of the Nevada Supreme Court Rules (1986) specifically adopts the American Bar Association Model Rules of Professional Conduct (NRPC) 1.16(b)(6) and 1.16 (b)(7) of the NRPC states that an attorney may be allowed to withdraw from employment:

A lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if...

- (1) The representation will result in violation of the Rules of Professional Conduct or other law;
- (2) The lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or
- (3) The lawyer is discharged.

(b) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if:

- (1) Withdrawal can be accomplished without material adverse effect on the interests of the client;
- (2) The client persists in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent;
- (3) The client has used the lawyer's services to perpetrate a crime or fraud;
- (4) A client insists upon taking action that the lawyer considers repugnant or with which the lawyer has fundamental disagreement;
- (5) The client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled;
- (6) The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or
- (7) Other good cause for withdrawal exists.

This Court has the authority to grant leave and enter an Order allowing the withdrawal of counsel in this matter. This motion contains Ms. Greene's last known address, at which she may be served with notice of further proceedings in this matter.

1 Furthermore, in case the application for withdrawal is granted, that the withdrawal shall
2 not delay the trial or hearing of other matters in the case. In this matter, counsel's withdrawal
3 will cause no adverse delays in this matter. At this time a Complaint has been filed, however,
4 counsel is still in the process of effectuating service, to date, no Defendant has retained counsel.

5 Furthermore, NRPC Rule 1.16(b)(c)(1) states, "a lawyer may withdraw from
6 representing a client if: withdrawal can be accomplished without material adverse effect on the
7 interests of the client." Moreover, NRPC Rule 1.16(b)(c)(7) permissively grants an attorney to
8 withdraw if "other good cause exists." In the instant matter, counsel's withdrawal would not
9 cause a material adverse effect on Ms. Greene. After litigation commenced, it has become clear
10 that an unrepairable rift exists between Plaintiff and counsel. For these aforementioned
11 reasons, this Court should grant this Motion and grant counsel leave to withdraw as counsel of
12 record as mandated in NRPC 1.16(a)(c)(3) and permissively granted by Local Rule IA 10-6 and
13 NRPC Rule 1.16(b)(c).

15 As shown by the Declaration of Kyle R. Tatum, Esq., (Exhibit 1) in support of this Motion
16 to Withdraw as attorneys of record, good cause exists to permit the withdrawal requested
17 herein because of the breakdown of the attorney-client relationship.

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1 WHEREFORE, this affiant asks this Honorable Court for leave for Kang & Associates
2 to withdraw as attorneys of record for Plaintiff.

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4
5 DATED this 3 Day of April 2020.

6
7 Submitted by:
8
9

KANG & ASSOCIATES, PLLC

10 e/ Kyle R. Tatum, Esq.
11 **PATRICK W. KANG, ESQ.**
12 Nevada Bar No.: 010381
13 **KYLE R. TATUM, ESQ.**
14 Nevada Bar No.: 013264
15 6480 W. Spring Mountain Rd., Suite 1
16 Las Vegas, NV 89146
17 (702) 333-4223
18 *Former Attorneys for Plaintiff Nicole Greene*
19
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of KANG & ASSOCIATES, PLLC., over the age of 18, neither a party to nor interested in this matter; that on this 3rd day of April 2020, I served a copy of **MOTION TO WITHDRAW AS COUNSEL OF RECORD** as follows:

by **electronic filing** notification where specified on the attached service list:

X by **mailing** a copy thereof enclosed in a sealed envelope with postage prepaid in the United States Mail at Las Vegas, Nevada, to the counsel of record at the following address:

_____ by **facsimile** transmission, pursuant to NRCP(5)(b) and EDCR 7.26, to the following fax number:

TO: Nicole Greene
1350 Kelso Dunes Avenue
Unit #526
Henderson, NV 89014

/s/ Su Branchini
An Employee of KANG & ASSOCIATES

EXHIBIT 1

1 **DECLARATION OF KYLE R. TATUM, ESQ. IN SUPPORT OF MOTION TO WITHDRAW AS**
2 **COUNSEL OF RECORD**

3 STATE OF NEVADA)
4 COUNTY OF CLARK)

6 KYLE R. TATUM, ESQ., being first duly sworn, deposes and says:

7

- 1 That I am an attorney at law duly licensed to practice in the State of Nevada; that I am a
2 member of the law firm of KANG & ASSOCIATES, PLLC. And am an attorney for Nicole
3 Greene.
- 4 After numerous discussions between counsel and the Plaintiff, it has become clear that
5 there are fundamental disagreements regarding the merits of Plaintiff's claims.
- 6 Despite attempts at a resolution, an unrepairable breakdown in the attorney/client
7 relationship exists, and counsel would be unable to fairly and adequately represent the
8 Plaintiff due to the breakdown of the relationship.
- 9 That the withdrawal as attorneys will not cause an unreasonable delay of hearings or
10 other matters within the case and that there are no pending or outstanding hearings or
11 due dates in this matter.
- 12 That the last known address in our file records for the Plaintiff is 1350 Kelso Dunes
13 Avenue, Unit 526, Henderson, NV 89014.
- 14 That the last known phone number for Plaintiff is 805.345.6064 and email is
15 Dgreen5000@aol.com.

19 FURTHER DECLARANT SAYETH NAUGHT

21 *el Kyle R. Tatum, Esq.*

22 KYLE R. TATUM, ESQ.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

* * * *

Nicole Greene, Plaintiff(s)

VS.

Benjamin Wood, Defendant(s)

Case No.: A-20-809599-C

Department 18

NOTICE OF HEARING

Please be advised that the Motion to Withdraw as Counsel of Record in the above-entitled matter is set for hearing as follows:

Date: June 01, 2020

Time: Chambers

Location: Chambers
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Allison Behrhorst
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Allison Behrhorst
Deputy Clerk of the Court

AOS

PATRICK W. KANG, ESQ.

Nevada Bar No.: 01038

KYLE R. TATUM, ESO.

Nevada Bar No.: 13264

KANG & ASSOCIATES, PLLC

6480 West Spring Mounta

Las Vegas, Nevada

P: 702.333.4223

Attorneys for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

NICOLE GREENE, an Individual;

Case No.: A-20-809599-C

Dept. No.: 18

Plaintiff.

vs.

BENJAMIN WOOD, an Individual; and
FRONTIER AIRLINES, INC., a Foreign
Corporation; DOES 1 through 20, inclusive;
ROE CORPORATIONS, 1 through 20,
inclusive:

Defendants.

AFFIDAVIT OF SERVICE- FRONTIER AIRLINES, INC.

SEE ATTACHED

AOS

**DISTRICT COURT , CLARK COUNTY
CLARK COUNTY, NEVADA**

NICOLE GREENE

Plaintiff

vs

FRONTIER AIRLINES, INC

Defendant

CASE NO: A-20-809599-C

HEARING DATE/TIME:

DEPT NO: DEPARTMENT 18

AFFIDAVIT OF SERVICE

ARANZA AGUILAR being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceedings in which this affidavit is made. That affiant received 1 copy(ies) of the SUMMONS, COMPLAINT, on the 2nd day of April, 2020 and served the same on the 7th day of April, 2020, at 14:00 by:

serving the servee FRONTIER AIRLINES, INC.C/O REGISTERED AGENT CORPORATION SERVICE COMPANY by personally delivering and leaving a copy at (address) 112 NORTH CURRY STREET, CARSON CITY NEVADA 89703 with KRIS OSBORNE, CLERK pursuant to NRS 14,020 as a person of suitable age and discretion at the above address, which address is the address of the resident agent as shown on the current certificate of designation filed with the Secretary of State.

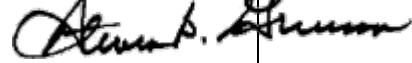
Pursuant to NRS 53.045

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

EXECUTED this 07 day of Apr, 2020.



**ARANZA AGUILAR
R-095409**

1 **AOS**2 **PATRICK W. KANG, ESQ.**

3 Nevada Bar No.: 010381

4 **KYLE R. TATUM, ESQ.**

5 Nevada Bar No.: 13264

6 **KANG & ASSOCIATES, PLLC**

7 6480 West Spring Mountain Road, Suite 1

8 Las Vegas, Nevada 89146

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10 F: 702.507.1468

11 *Attorneys for Plaintiff*12
13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

15 NICOLE GREENE, an Individual;

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17 Dept. No.: 18

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22 Corporation; DOES 1 through 20, inclusive;
23 ROE CORPORATIONS, 1 through 20,
24 inclusive;

25 Defendants.

16
17 **AFFIDAVIT OF SERVICE- BENJAMIN WOOD**18
19 **SEE ATTACHED**20
21
22
23
24
25

KANG & ASSOCIATES, PLLC.
6480 W SPRING MOUNTAIN RD., STE 1
LAS VEGAS, NV 89146

AOS

DISTRICT COURT, CLARK COUNTY
CLARK COUNTY, NEVADA

NICOLE GREENE

Plaintiff

VS

BENJAMIN WOOD

Defendant

CASE NO: A-20-809599-C

HEARING DATE/TIME:

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AFFIDAVIT OF SERVICE

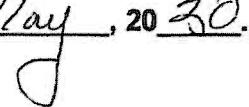
PHIL GAY being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceedings in which this affidavit is made. That affiant received 1 copy(ies) of the SUMMONS, COMPLAINT, on the 2nd day of April, 2020 and served the same on the 1st day of May, 2020, at 11:01 by:

serving the servee BENJAMIN WOOD personally delivering and leaving a copy with ERIN WOOD, Co-occupant, a person of suitable age and discretion residing at the defendant's usual place of abode located at (address) [REDACTED]
[REDACTED], OKLAHOMA CITY OK [REDACTED]

Pursuant to NRS 53.045

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

EXECUTED this 3rd day of May, 2020.



PHIL GAY II PSS-2017-75